

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

BRAD DAVIS,

Petitioner,

v.

No. 1:13-cv-01225-JDB-egb

No. 1:07-cr-10063-JDB-1

UNITED STATES OF AMERICA,

Respondent.

ORDER GRANTING IN PART AND DENYING IN PART
PETITIONER'S MOTION TO STAY

On October 4, 2017, the Court directed Petitioner, Brad Davis, to file a response to the Government's motion for relief from judgment. (Case Number ("No.") 13-cv-01225, Docket Entry ("D.E.") 20.) Petitioner was ordered to respond to the motion by addressing the Sixth Circuit's recent decision in *United States v. Verwiebe*, 874 F.3d 258 (6th Cir. 2017) (petition for rehearing *en banc* pending). (No. 13-cv-01225, D.E. 20 at PageID 96.) Before the Court is Petitioner's motion to stay proceedings in this case pending the Sixth Circuit's ruling on the petition for rehearing *en banc* in *Verwiebe*. (*Id.*, D.E. 27.) In his motion, Petitioner also requests that the Court set the matter for a status hearing on January 17, 2018. (*Id.* at PageID 106.)

For good cause shown, Petitioner's motion is GRANTED IN PART and DENIED IN PART. Proceedings in this case are hereby STAYED pending final disposition of appellate proceedings in *Verwiebe*. The request for a status hearing is DENIED as premature. Petitioner shall notify the Court of the Sixth Circuit's final ruling in *Verwiebe* within seven (7) days of its entry-date.

IT IS SO ORDERED this 22nd day of November 2017.

s/ J. DANIEL BREEN

UNITED STATES DISTRICT JUDGE